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FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7194
INFO RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
RHMCSUU/FBI WASHINGTON DC PRIORITY
RUEHJS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS
RUEHBY/AMEMBASSY CANBERRA 1652
RUEHKO/AMEMBASSY TOKYO 1194
RUEHWL/AMEMBASSY WELLINGTON 2078
RHHJJPI/USPACOM HONOLULU HI
RUEKJCS/SECDEF WASHDC
RHEHNSC/NSC WASHDC
RUEAIIA/CIA WASHDC

S E C R E T SECTION 01 OF 02 JAKARTA 003263

SIPDIS

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, S/CT, INL FOR BOULDIN
DOJ FOR CRIM AAG SWARTZ, DOJ/OPDAT FOR
LEHMANN/ALEXANDRE/BERMAN
DOJ/CTS FOR MULLANEY, ST HILAIRE
FBI FOR ETTUI/SSA ROTH
NCTC WASHDC
NSC FOR EPHU

E.O. 12958: DECL: 11/26/2017
TAGS: [PTER](#) [PGOV](#) [KJUS](#) [ASEC](#) [ID](#)
SUBJECT: TERRORIST TRIALS -- NEW FUNDING NEEDED FOR COURT
MONITOR

REF: A. JAKARTA 2852

- [1](#)B. JAKARTA 2346
- [1](#)C. JAKARTA 2101
- [1](#)D. JAKARTA 827
- [1](#)E. JAKARTA 826
- [1](#)F. 06 JAKARTA 11889

Classified By: Dep Pol/C Stan Harsha, reasons 1.4(b,d).

[1](#)1. (S) SUMMARY: Over the past two years, a locally contracted Court Monitor has provided valuable information on the trials of Indonesia's most dangerous terrorists. With current funding nearly exhausted, Mission seeks new Department funding to continue this productive relationship. Supported by an FY05 grant, the Court Monitor has observed and confidentially reported to us on the trials of more than 75 terrorists, most of whom are linked to the Jemaah Islamiyah terror network, and provided us with copies of official court documents not normally obtainable. The Monitor has also developed relationships with defense lawyers from the Muslim Defense Team (TPM), yielding an additional source of information. The Monitor is a valuable asset in Mission's counter-terrorism efforts in Indonesia, and it is important that it be sustained. END SUMMARY.

CRUCIAL IN TRACKING CASES

[1](#)2. (S) Since 2005, the Court Monitor (CM) has observed and reported on more than 450 individual trial sessions related to over 75 terrorists. The cases have spanned all the major terrorist attacks in Indonesia over the past 5 years, including the 2002 and 2005 Bali bombings, the 2003 Marriott bombing, the 2004 Australian Embassy bombing and a variety of bombings and assassinations in Poso, Central Sulawesi. The CM provides post with expert commentary on the nature of the charges, the quality of the prosecutions, and the strategies of the defense teams. She also provides copies of court documents, including indictments, defense objections, sentencing requests and decisions. This detailed information has been seminal to post's ability to report authoritatively

on these trials (reftels). This relationship is so sensitive that it is not publicly acknowledged and her identity is strictly protected.

13. (S) The CM has proven particularly good at tracking high-profile cases through the appeals process. Appeals can drag on for months or even years and decisions are often not announced publicly. The CM has kept us informed of major developments in the appeals of Jemaah Islamiyah co-founder Abu Bakar Ba'asyir, the three Bali bombers on death row and numerous other critical cases. She also maintains relationships with defense attorneys on the Muslim defense team (TPM), which represents many of the terrorist defendants. This enables her to receive inside information on defense strategies as well as court documents on cases prosecuted outside of Jakarta, which otherwise are particularly difficult to track.

14. (S) An English-speaking Indonesian with a legal background, the CM integrates the cases she observes into her own legal research, enabling her to explain her frequent presence during trials without reference to her relationship with post. Her ability to do this is extremely important, given the sensitive nature of terrorism cases. Were an Embassy employee to attend court sessions, it could lend credibility to defense attorneys' frequent allegations of foreign involvement in court proceedings.

NEW FUNDING NEEDED

15. (S) The CM's activities to date have been funded through part of an FY05 grant from S/CT, which is now nearly depleted. In December, two major JI figures will come to trial in Jakarta: Abu Dujana, leader of JI's military wing

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(ref C), and Zarkasih, JI's acting leader. Post is seeking additional funding in order to continue using the CM to cover these and other important trials. A further \$20,000 would sustain this relationship for another two years. This is a modest investment for the substantial return it will yield. Mission requests Department's support.

HUME